

San Francisco

# Public Defender's Office



Annual Report 2004

# A YEAR OF ACTION

“The mission of the San Francisco Public Defender’s Office is to protect and defend the rights of our indigent clients through effective, vigorous, compassionate, and creative legal advocacy.”

2004 was a year of action. In January, following the release of six reports by nationwide experts documenting the egregious conditions at the California Youth Authority (CYA), the Public Defender's office called for a city-wide moratorium against sentencing juveniles to the CYA. The San Francisco Board of Supervisors unanimously passed a resolution supporting the moratorium, and 11 counties followed San Francisco's lead. The office continued its advocacy by testifying at California state senate hearings on the CYA and hosting San Francisco's first juvenile justice summit. By the year's end, Governor Schwarzenegger called for wide ranging reforms in the treatment of juveniles at the CYA.

The Public Defender's Office balanced its public advocacy with strong and aggressive legal representation in the courtroom. This year, the Public Defender's office represented 22,000 adult clients and 1,500 juveniles. To help meet this Herculean challenge, the Public Defender instituted new efficiencies to improve the quality of legal representation. By setting workload standards, defenders have more time to investigate and prepare their cases while eliminating costly delays. Annual performance evaluations have been implemented to measure employee performance, and in-house training programs keep staff abreast of new changes in law.

The office's emphasis on trial work resulted in nearly 200 jury trials, from misdemeanor to homicide cases, compared to 134 in the previous year. The office's goal of trying more cases reflects our belief that attorneys who try cases ultimately obtain better results for their clients.

The office also represented over 3,500 mentally ill clients in incompetency hearings, civil commitments and conservatorships and continued its work in the Behavioral Health Court, which offers intensive, supervised mental health treatment to its participants.

This year saw the expansion of the Clean Slate program, which helps rehabilitated ex-offenders clear their past criminal records, into additional neighborhoods throughout the city. Our two drop-in centers helped over 1,500 people last year. Clean Slate also joined with Mayor Gavin Newsom's *Project Homeless Connect* to provide expungement services for the homeless and others in need.

I am proud to announce that, with the Zellerbach Family Foundation's support, the office has established the first "Children of Incarcerated Parents" program, to help minor children of a jailed parent access support services and assistance.

In 2004, the office launched a new community initiative, called "MAGIC" (Mobilization for Adolescent Growth in our Communities), aimed at providing positive opportunities for youth to keep them from entering the juvenile justice system.

Finally, I want to thank my staff for their superb work and dedication, and we look forward to continuing to making a difference in the years ahead.

Sincerely,



Jeff Adachi  
Public Defender



## Balancing the Scales of Justice: the Right to a Jury Trial

*“... the truth of every accusation against a criminal defendant should afterwards be confirmed by the unanimous suffrage of twelve of his (or her) equals and neighbors.”*

— Justice Antonin Scalia,  
*Blakely v. Washington (2004)*

One of the most sacred rights we enjoy in a free society is the right to a jury trial. Every day, public defenders give meaning to this right by providing legal representation to indigent persons who want to have their cases heard in court.

The right to a jury trial, whose origin traces back to the Magna Carta, was incorporated into the Sixth Amendment to the U.S. Constitution in 1791. However, because most criminal defendants could not afford to hire lawyers, the right was a hollow one. This changed in 1963, when the U.S. Supreme Court held that a Florida man named Clarence Earl Gideon was entitled to a lawyer to try his case at the state’s expense. In 2004, the U.S. Supreme Court, in another historic decision, *Blakely v. Washington*, further expanded these rights by requiring that any fact used by a judge to increase a person’s sentence be decided by a jury, not a judge.

This is not to say that all cases go, or should go, to trial. The vast majority of cases are resolved by plea bargaining, dismissal, or participation in diversion programs. However, it is important that every case, whether it proceeds to trial or not, is thoroughly investigated and that

all applicable legal motions are raised. Only in this way can a person make an intelligent decision as to whether to plead guilty or go to trial.

Each client must be fully informed as to the consequences of the charges and the status of their case. Public defenders spend a great deal of time meeting with clients, talking with them about their cases, and establishing a relationship of confidence and trust. Defenders must also work closely with their investigator, who assists the attorney in interviewing and subpoenaing witnesses, and locating important evidence and documents. If the case proceeds to trial, the defender must prepare for jury selection, evidentiary hearings, pretrial motions, opening statements, direct and cross-examinations, and final arguments.

Public defenders must also work under heavy caseloads --- often two to three times more than what a private lawyer typically handles. This requires superior organization, and the support of a dedicated and committed support staff. Defenders are encouraged to share their ideas, knowledge and experience with one another and work together as a team.

In 2004, the office’s felony unit, comprised of 45 lawyers, handled 5,973 cases and tried a total of 51 jury trials. The felony unit handled 1,574 probation violations assigned to the office. The office’s misdemeanor unit, comprised of 17 lawyers, handled a total of 12,119 cases in 2004, and tried a total of 137 jury trials.



*Deputy Public Defender Sandy Feinland questions a panel of prospective jurors.*

In January 2003, at the request of the Public Defender, the Controller conducted a four-month study of the office and issued a series of recommendations on how to improve its operations. These “benchmarks for justice” now form the foundation of the Public Defender’s three-year strategic plan.

## Implementation of Public Defender’s Strategic Three-Year Plan

In 2003-2004, the office implemented the bulk of the recommendations of the Controller’s study. In late 2003, the office established caseload standards to better manage workloads and give attorneys sufficient time to work on their cases. The Controller’s report also recommended hiring paralegal staff to help reduce attorneys’ workloads. By January 2004, the office had created a 10-person paralegal unit. Finally, the Controller recommended using technology to automate office work, promote information sharing and streamline repetitive tasks. In response, the office designed a comprehensive technology plan to provide its attorneys and staff with modern computer equipment and training.

## Institution of Performance Evaluations

The office instituted a comprehensive annual performance evaluation of all staff. Attorneys are evaluated in four key areas: client relations, research/motion work, trial skills and teamwork. All staff also submit a self-evaluation, and work with their managers to set individual goals and objectives. The manager then meets with the employee to review the evaluation. In 2004, the office completed 140 evaluations.

## Creation of a Forensic Support Unit

The science of DNA has played an increasingly significant role in criminal cases. Formerly the exception, the office now routinely represents clients where the primary evidence against them is DNA. It is necessary that the attorneys in the office be trained on the complexities of the science of DNA, and that the office retain qualified staff to work on these cases. To this end, the office has created a forensic support unit to assist attorneys who are handling DNA cases.

## Reducing Indigent Defense Costs

In these difficult budget times, it is imperative that all City departments work to identify savings and cost efficiencies. The Public Defender’s office, together with the Bar Association of San Francisco and the Mayor’s Budget Office, continued efforts, begun in 2003, to reduce the number of cases referred to private counsel. The Public Defender also worked with the Trial Courts to design a reimbursement program for clients who had the ability to pay some, but not all, of the costs of appointed counsel.

## Building an Office Intranet

This year, the office built an intranet (internal shared database) to support the work of its attorneys and staff. The office intranet contains forms, motions, practice guides, trial briefs and other documents commonly used by the attorney in representing clients. The intranet is an invaluable tool that has increased efficiency by providing a repository for the collective work of the office.

## Enhancing Trial Skills

In October, the office hosted a weekend-long Public Defender Trial College which featured nationally known trial attorneys from the private bar and other public defender offices who generously donated their time and expertise. The office also received two scholarships to send felony lawyers to an intensive two-week trial training through the National Criminal Defense College.



*Deputy Public Defender Stephanie Wargo discusses a case with Judge Newton Lam and Assistant District Attorney Michael Sullivan.*

### A Banner Year for Juvenile Justice



2004 has been a banner year for the office's efforts to reform the juvenile justice system. This year, the office's juvenile unit represented 1,472 youth charged in juvenile court. The unit is staffed by nine attorneys, an educational/placement specialist, two support staff, three social workers, and one investigator.

The juvenile unit's holistic approach includes social services, educational advocacy, mental health and placement services. By helping youth and their families identify, treat and overcome the core problems that bring them into the juvenile justice system, it is less likely the youth will return to jail or become involved in the adult court system in the future.

### Opening of the Public Defender's Juvenile Justice Center

For five decades, the Public Defender's juvenile unit was located on the ground level of the Youth Guidance Center. The unit's offices were cramped into former shower stalls, without confidential meeting rooms for clients and their families.

In March 2004, the office opened the Juvenile Justice Center at 258A Laguna Honda Boulevard. While the office still maintains offices at the Youth Guidance Center, the new space has allowed greater community access to public defender services and a more welcoming and confidential environment for clients and their families.

The increased work space has allowed the office to recruit volunteers and interns which has increased staff productivity.

### Moratorium Against Commitments to the California Youth Authority

In January 2004, six reports, commissioned by the state Attorney General, were released. The reports, authored by independent national juvenile justice experts, condemned the California Youth Authority's (CYA)



*Public Defender Jeff Adachi testifies before a Senate subcommittee investigating abuses at the California Youth Authority.*

treatment of the 5,000 youth entrusted to it. Despite a budget of \$80,000 per youth, the experts found that the CYA was failing in its mission "to reform and rehabilitate youth," and was not providing basic education, mental health and medical treatment to its wards.

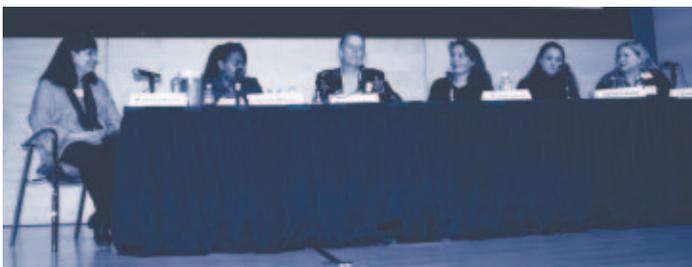
In response, the Public Defender's office drafted a resolution which was presented to the Board of Supervisors by Supervisor Tom Ammiano. The resolution, which called for a moratorium on sending youth to CYA until conditions improved, passed unanimously. The Public Defender also testified before the California state senate, which held extensive hearings on the need for prison and CYA reform, and held a statewide CYA roundtable with public defenders from throughout the state to discuss legal strategies and identify alternatives to CYA.

The office also formed a special unit to investigate the cases of all youth from San Francisco currently housed at CYA, and to find alternative placements. Of the 1,472 youth the office represented in 2004, only one juvenile was sentenced to the California Youth Authority, and through the office's advocacy, the majority of youth previously sentenced to the Youth Authority have been returned to local community placements.

Lamar had been in the juvenile justice system since he was 12. Growing up, Lamar had experienced extensive physical abuse, which left deep psychological scars. Lamar had difficulty trusting others, controlling his anger and obeying rules. After numerous arrests for theft and drug offenses, he was committed to Log Cabin ranch. Lamar's public defender social worker introduce him to SQUIRES, a program where youthful offenders meet with San Quentin "lifers" who counsel them to avoid the criminal justice system. This experience profoundly changed Lamar. He became head of the student council at the ranch, obtained his GED and began excelling socially and academically. With the help of his public defender social worker, Lamar was placed in a job training program, attended therapy sessions and continued his involvement in SQUIRES. Lamar is now succeeding in a way he says he never imagined possible.

### Public Defender's Juvenile Justice Summit

On April 21, 2004, the Public Defender's Office held its first Juvenile Justice Summit at the Civic Center Main Library. Entitled "Raising Up Our Youth: Building Safer Communities," the one-day summit brought 200 youth, parents and youth advocates together to discuss the difficult issues confronting young people in the juvenile justice system. Topics discussed by the panels included how to work with girls in the juvenile justice system, creating collaborative working relationships among youth agencies, and the need for better mental health services for incarcerated youth. The summit was televised in its entirety on SFGOV TV.



Defenders Marynella Woods and Jan Lecklikner lead a panel discussion on the treatment of girls in the juvenile justice system.

### Improving Support Services for Youth

For many years, the Public Defender's juvenile unit was staffed by one social worker to serve the needs of over one thousand children. This created a situation where the attorneys had to pick and choose which youths would benefit from the social worker's services. On July 1, 2004,

the California Trial Courts adopted Rule 1479, which expanded the duties of a juvenile attorney to include advocating "that the child receive care, treatment, and guidance consistent with his or her best interest." To implement Rule 1479, the office hired two social workers, who will work exclusively with youth, focusing on their mental health, placement and educational needs.

### Spreading MAGIC in our Communities

"MAGIC has created a sense of hope in the Bayview community that has not been around for a long time. When I am in the presence of MAGIC, I know something real is going on. With MAGIC bringing us all together on behalf of our kids, there is NOTHING we cannot achieve."

- Barbara Howard, Women's Chamber of Commerce

Following the 2004 juvenile justice summit, the Public Defender's office spearheaded Mobilization for Adolescent Growth in our Communities (MAGIC) to implement a comprehensive, community-driven juvenile justice planning process created to facilitate a continuum of effective support services for youth. MAGIC's goal is to foster greater cooperation and collaboration between the juvenile justice system, youth, families, schools, health and mental health service providers, and community youth agencies. Presently, over 45 community based organizations are represented within MAGIC.

MAGIC began its organizing efforts in Bayview Hunters Point, where the largest number of youth in San Francisco reside. In its first year, MAGIC sponsored a Back-to-School backpack giveaway which was attended by over 1,000 children and families, a mentor fair, and workshops for youth agencies. In the future, MAGIC hopes to expand its efforts to other San Francisco neighborhoods. For more information, please visit [www.bayviewmagic.com](http://www.bayviewmagic.com).



Defender Carol Chodroff with youth who attended MAGIC's Back-to-School event.

### Felony and Misdemeanor Trial Units

*Jose was in the wrong place at the wrong time. Positively identified by the victim two days after a shooting, Jose was arrested for three counts of first degree attempted murder and three counts of assault with a gun, and faced life in prison if convicted. Although Jose had no criminal history and was employed, he was jailed pending his trial. Jose's public defender and investigator performed extensive investigations and determined that Jose was the victim of misidentification. It was not until the jury was sworn and the trial was ready to begin that the District Attorney agreed that the victim had pointed his finger at the wrong man. All charges against Jose were dismissed and he was reunited with his family.*

The attorneys in the felony and misdemeanor units handle the bulk of cases assigned to the office: over 6,000 felony cases and 12,000 misdemeanor cases each year. The felony unit handled 20 homicides (30% increase from the previous year), 56 sex offenses, 685 serious felonies, 2,444 drug cases, 516 theft offenses and 596 miscellaneous cases. Of the 4,399 new felony cases handled by the unit, 940 were dismissed, 493 were sent to diversion programs and 1,683 resulted in a plea of guilty. In addition, the felony unit handled 1,574 probation violations. Of the 5,711 new cases handled by the misdemeanor unit, 3,166 were dismissed or diverted, and 1,290 were resolved by plea before trial. (See page 10 for jury trial statistics.)

### Public Defender Training Programs

The Public Defender's training programs ensure that the office's attorneys and staff continue to improve their skills. In 2004, the office offered 44 in-house lectures, demonstrations and interactive workshops to its staff. Skills taught in the trainings were reinforced through individualized case conferences and one-on-one mentoring.



*Judge James Warren leads a training at the Public Defender's Office.*

### Research Unit

When a legal issue arises in a case, the relevant law must be thoroughly researched and, often, a legal brief must be prepared. When the defender receives a decision from a judge which he or she believes is incorrect, the defender may appeal to a higher court. The Research Unit fulfills this essential function by writing and filing appeals, assisting attorneys in preparing briefs, and providing advice to attorneys and staff.



*Defenders Dorothy Bischoff and Norene Lew research a case.*

The Research Unit also argues appeals in the appellate courts as well as the California Supreme Court. Through its advocacy, the unit brings legal issues of importance before the court, and works with other legal groups, such as the ACLU, to challenge laws that affect the constitutional rights of accused persons.

### Investigation Unit

The investigator transforms a case file into a real-life event. Through visiting crime scenes, locating and interviewing witnesses, gathering documents and records and taking photographs, the investigator ascertains the facts used to defend the case. The investigator develops an investigation plan with the attorney, and then reports back to the attorney as the investigation is underway.

In 2004, the unit responded to 2,016 attorney investigation requests, served over 1,200 subpoenas, and conducted 2,500 interviews.



*Investigator Christina Peña and Managing Attorney Kathy Logan discuss a case.*

## Paralegal Unit

The paralegals assist attorneys in writing motions, creating trial exhibits, creating client social histories, gathering and organizing documents, requesting medical, psychiatric, and other records, preparing subpoenas, reviewing and summarizing documents, helping at trials, and perform a wide range of other clerical and legal functions.



*Paralegal Joan Kruckewitt selects clothing for a client's trial.*

## Clerical, Word Processing & Information Technology Unit

The Clerical Unit is responsible for creating, maintaining and archiving over 30,000 client files each year. The unit files attorney motions (requests for court action), delivers missives to and from other criminal justice agencies, and staffs 18 courtrooms. The Word Processing Unit provides accurate and precise transcriptions of witness statements. In 2004, the unit transcribed 602 witness statements. The Information Technology Unit provides technical support for the office's computer and information systems.



*Photo by Jason Doiy*

*Staff member John Tennison works the front desk.*

## Volunteer Attorney Program

*"I thoroughly enjoyed my four-month stint as a deputy public defender. I tried five jury trials, and am returning to my firm as a more skilled trial lawyer. But the real thrill was working with the incredibly talented group of trial attorneys at the Public Defender's Office. I would highly recommend it."*

*-Tom Rector, Business Litigation, Jones Day*

The loaner program is a unique partnership where private sector law firms "loan" partners and associates to work in the San Francisco Public Defender's office. The loaners have an opportunity to try criminal jury trials and gain litigation skills. The program requires a minimum four-month, full-time commitment. Attorneys are assigned to the misdemeanor unit, and handle a partial caseload. The attorneys receive extensive training in trial skills, evidence and courtroom protocol. In 2004, four volunteer attorneys, including lawyers from the law firms of Jones Day and Sedgwick participated in the program.

## Volunteer Intern Program

The San Francisco Public Defender's Volunteer Internship Program (VIP) provides internship opportunities for law students, paralegals, investigators, college students and volunteers who are interested in receiving hands-on experience meeting with clients, writing motions, conducting investigations and assisting attorneys in trial. Students apply to participate in the office's fall, spring or summer internship programs. Last year, the office established a volunteer program for legal professionals, recruiting jury consultants, medical experts and other professionals to work with defenders.

In 2004, 244 law students and volunteers from across the United States and from other countries provided over 70,000 work hours to support the office. To apply or for more information, please call (415) 553-9630.



*Public defender interns obtain real life, hands-on criminal law*

## Mental Health Unit

*Jonathan was charged with misdemeanor criminal threats and resisting arrest. He had a history of mental illness, and was immediately placed in a psychiatric hospital. Jonathan's deputy public defender determined that Jonathan had experienced a mental health breakdown and worked with Jonathan's family to find a community-based program that could provide intensive mental health treatment. Jonathan also enrolled in GED classes and eventually was able to move back in with his family. His charges were dismissed.*

Many persons suffering from mental illness find themselves at the door of the criminal justice system. Given the scarcity of mental health resources, the criminal justice system has become the principal point of entry for thousands of persons in need of treatment.

The Mental Health unit consists of two attorneys and two investigators. In 2004, the unit represented over 3,500 clients in competency proceedings, civil commitments, and conservatorships. Some of these cases take months to resolve. The ultimate goal is to help the client transition from the criminal justice system to the mental health system.

In 2004, the unit participated in the City's policy discussions on homelessness, authoring a report on the legal implications of a mandatory outpatient treatment for the Mayor's Homeless Ten-Year Council. The office is also participating in the implementation of Proposition 63 (the Mental Health Services Act), which provides state funding to counties for mental health services.



*Defender Rafael Trujillo discusses a case with DA Tiffany Gibson.*

## Behavioral Health Court

The Behavioral Health Court offers intensive, court supervised mental health treatment to persons charged with crimes related to mental illness. A unique collaboration between the Trial Courts, the Public Defender, the District Attorney and the Department of Public Health, the court is now in its second year. Once a week, a judge meets with attorneys, treatment providers, social workers and psychologists to develop a comprehensive mental health treatment plan for each participant, which may include residential or outpatient treatment, housing and medication. Upon successful completion of the treatment plan, the participant graduates from the court, earning a dismissal of the charges or a reduction in sentence.

## Drug Court, Proposition 36 and Substance Abuse Treatment

*"When I came to Drug Court in March 2004, I was homeless and HIV positive. I was 51 years old and had been using drugs since I was 18. I entered residential treatment one month later, and now am drug free. I reunited with my family, and am living in the community and taking college classes. My life has been saved by Drug Court. Thank you."*

*L.M., graduated from Drug Court, December 2004*

The Drug Court was created in 1995 to provide drug counseling and treatment to persons who find themselves in the criminal justice system because they are addicted to drugs and/or alcohol. In 2004, over 1,000 people participated in Drug Court. Participants are required to complete a rigorous, one year program which may include residential or outpatient treatment, meetings with drug counselors, group counseling, acupuncture, drug testing, and regular trips to court so the judge can monitor their progress. Clients who successfully complete Drug Court have their criminal charges dismissed.

Proposition 36 Court allows persons convicted of drug possession charge to enter a treatment program instead of jail or prison. In 2004, the office represented 1,079 clients in this program which is funded from a state grant administered by the Department of Public Health.

The Public Defender also employs two social workers in its Substance Abuse unit who assist clients in finding appropriate placements in outpatient and residential treatment programs.

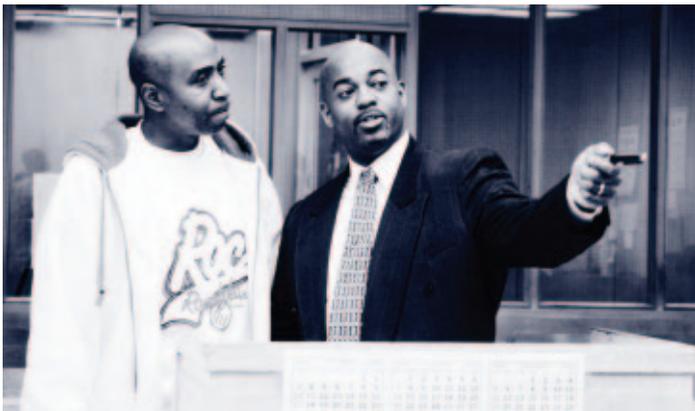
*“The size of the (California) prison population has resulted in part from tough-on-crime sentencing policies of recent decades, but the state has also been widely criticized for fueling the numbers by not doing a better job of preparing inmates to return to society.”*

— 2004 Governor’s California Performance Review

With over 160,000 prisoners in 33 state prisons, California has the largest and most expensive prison system in the country. California’s prison population has risen nearly 500 percent in the past 20 years. With over 121,000 parolees statewide, it is imperative that new alternatives are developed to help ex-offenders turn their lives around when they are released from prison or county jail.

Earlier this year, the governor’s California Performance Review committee released a series of recommendations calling for systemwide reform of the prison system. The panel found that more than half of the people released from prison return within two years, and that the prisons were failing to train and treat prisoners to help them remain crime-free and successfully integrate into society.

In 2004, the Public Defender’s office played a leading role in advocating for statewide prison reform. In addition to authoring opinion articles on the issue, the Public Defender co-sponsored the *Peace and Justice Summit* in San Francisco, which brought together individuals and organizations to discuss policy issues relating to formerly incarcerated persons.



*Defender Kwixuan Maloof gives advice to a client.*

## Clean Slate Program

*“Thank you so much for the Clean Slate program. We were able to find jobs for many of our clients once they had their criminal record cleared.”*

— Marjorie Ann Williams,

*Visitacion Valley Job Employment & Training Program*

A criminal conviction can severely affect a person’s ability to find employment as well as their eligibility for student loans and government-owned housing. The Clean Slate program was instituted by the Public Defender in 1998 to help people clear their record of past convictions and arrests.

In 2004, the unit conducted 43 community outreach presentations and prepared, filed, and helped over 1,500 people clear their criminal records. The office’s satellite Clean Slate Office in the Bayview district of San Francisco, which opened in November 2003, assisted over 300 people on a walk-in basis. For more information, call (415) 553-9337.

## Innocence Project

The Innocence Project investigates claims of factual innocence made by state prison inmates originally convicted in San Francisco courts, and provides assistance to inmates seeks DNA testing of evidence. The Innocence Project attorney investigates new evidence, witnesses, and records that may lead to the client’s exoneration, and conducts prisoner outreach. In 2004, the Innocence Project investigated 37 cases, including two cases with Golden Gate University Law School.

## Children of Incarcerated Parents Program

Studies have shown that as many as one-third of children who are detained for juvenile delinquency matters have a parent in jail or prison. The absence of a parent for any reason is devastating to the child. Many children are often abandoned or forced into foster care as a result of their parent’s incarceration. To help children survive and cope with their parent’s incarceration, the office, with the generous support of the Zellerbach Family Foundation and San Francisco PIP (Partnership for Incarcerated Parents), has developed a program which assists incarcerated parents and their children obtain family services, counseling and family jail visits.

**T**otal number of Cases Handled: 23,140

**Felony Unit:**

Total Cases: 5,973  
Arraignments: 4,399  
Dismissed: 940  
Diverted: 493  
Cases Resolved by Guilty Pleas Before Preliminary Hearing: 1,449  
Total Guilty Pleas: 1,683  
Number of Cases Held to Answer: 513  
Jury Trials: 51  
Average Cases per Attorney (Annual): 166  
Average Caseload Per Attorney (At any given time): 55

**Type of Cases:**

Homicides: 20  
Sex Offenses: 56  
Violent or Serious Felonies: 685  
Burglary, Theft, Receiving Stolen Property: 516  
Drug Offenses: 2,444  
Miscellaneous: 596  
Probation Violations: 1,574

**Misdemeanor Unit:**

Total Cases: 12,119  
Arraignments: 5,711  
Cases Dismissed: 2,303  
Cases Diverted: 863  
Cases Resolved by Guilty Plea Before Trial: 1,290  
Trials: 137  
Average Cases Per Attorney (Annual): 757  
Average Caseload Per Attorney (At any given time): 125

**Juvenile Unit:**

Total Cases: 1,472  
Court Appearances: 3,387  
Court Trials: 54  
Contested Disposition: 57  
Fitness Hearings: 5  
Average Cases Per Attorney (Annual): 210  
Average Caseload Per Attorney (At any given time): 50  
Total Educational Placement: 108  
Total California Youth Authority (CYA) Commitments: 1

**Mental Health Unit:**

Total Cases: 3,629

**Drug Court:**

Total Cases: 1,079

**Civil:**

Certification Reviews: 2,786  
Conservatorship: 207  
Renewal of Conservatorship: 498  
Writs: 95  
Total Civil Cases: 3,586

**Criminal:**

Maximum Term Extension: 10  
Writ for Conditional Release: 3  
Restoration of Sanity: 6  
Conditional Release/Outpatient Parole: 18  
1370 Top Out: 3  
Total Criminal Cases: 43

**Behavioral Health Court:**

Total Cases: 150  
Total Number of Graduates: 65

**Proposition 36:**

Total Cases: 619

**Substance Abuse Unit:**

Clients Evaluated: 308  
Clients Placed into Treatment Programs: 117

**Street-to-Work:**

Total Case: 104

**Clean Slate:**

Cases: 1,102  
Motions: 578

**Innocence Project:**

Total Letters: 67  
Referrals: 51  
Closed Investigations: 23  
Active Cases: 29  
DNA Tested: 2

**Investigation Unit:**

Attorney Investigation Requests: 2,016  
Subpoenas Served: 1,245  
Interviews: 2,822

**Research Unit:**

Appeals: 6  
Petitions for Writs: 21  
Motions to Suppress Evidence: 20  
Motions to Set Aside Information: 60  
Legal Memoranda: 47  
Miscellaneous Motions: 26

**Recruitment/Volunteer Intern Program:**

Interns: 244

# Public Defender Staff

**Public Defender:** Jeff Adachi

**Chief Attorney:** Teresa Caffese

**Executive Assistant to the Public Defender:** Angela Auyong

**Felony Managing Attorneys:** Steve Gayle & Marla Zamora

**Misdemeanor Managing Attorney:** Jean Amabile

**Juvenile Managing Attorney:** Patricia Lee

**Mental Health Managing Attorney:** Robert Bunker

**Research Managing Attorney:** Chris Gauger

**Director of Training:** Martin Sabelli

**Director of Investigations and Support Services:** Kathy Logan

**Director of Interns and Recruitment:** Kathy Asada

**Felony Unit:**

Bicka Barlow	Christopher Hite	Articia Moore
Gabriel Bassan	Daro Inouye	Steve Olmo
Frank Brass	Katherine Isa	Craig Peters
Linda Colfax	Mark Iverson	Stephen Rosen
Henry Doering	Mark Jacobs	Simin Shamji
Roberto Evangelista	Jennifer Johnson	Mel Santos
Peter Fitzpatrick	Susan Kaplan	Kausar Siddiqui
Michael Fox	Lisa Katz	Sangeeta Sinha
Azita Ghafourpour	Sujung Kim	Niki Solis
Greg Goldman	Susan Leff	Phoenix Streets
Carla Gomez	Jennifer Levin	Rafael Trujillo
Danielle Harris	Alex Lilien	Tyler Vu
Kleigh Hathaway	Mary Mallen	Phong Wang
Elizabeth Hilton	Kwixuan Maloof	Doug Welch
Chris Hipps	Randall Martin	Rebecca Young

**Misdemeanor Unit:**

Christina Alvarez	Helena Kim	Brian Pearlman
Jonah Chew	Tal Klement	Aleem Raja
Kisha Cordero	Adam Lipson	Diana Rosenstein
Monica Cummins	Eric Luce	Tiffany Tisen
James Higa	Maria Lopez	Stephanie Wargo
Alisa Kim	Seth Meisels	Jacque Wilson

**Juvenile Unit:**

Roger Chan	Debra Hoffman	Rebecca Marcus
Greg Feldman	Jan Lecklikner	Stephen Zollman
Emily Goldman	Will Maas	

**Mental Health Unit:**

Kara Chien

**Research Unit:**

Dorothy Bischoff      Norene Lew

**Drug Court:**

Armando Miranda

**Proposition 36:**

Jami Tillotson      Edelmira Alfaro

**Substance Abuse:**

Shannon Bennett

**Clean Slate Program:**

DeMarris Evans      Louise Winterstein

**Innocence Project:**

Paul Myslin

**Investigation Unit:**

Carolyn Hanna	Christina Peña	Sandra Smutz
Jennifer Jennings	Nigel Phillips	Gary Sourifman
Pat Leary	Lawrence Porchia	Robert Stemme
Ricardo Lopez	Diane Rae	Everson Thompson
Karen Masi	Jill Schroeder	Debora Warren
Jose Mendoza	Jill Shaw	

**Social Worker Units:**

Marynella Woods	Jaime Michel
Annette Quiett	Stefanie Shapiro

**Administrative Support Unit:**

Eunice Kaneko      Jason Yoder

**Clerical Unit:**

Thelma Flores-Arroyo	Angela Mathews	John Tension
Ana Guevara	Lynn Mechanic	Cynthia Watkins
Virginia Libiran	Mary Muao	Wynona
Judy Liu	Luz Rodriguez	Winterstein

**Word Processing Unit:**

Rosario Carbajal      Emily Ng      Sandra Reyna

**Paralegal Unit:**

Julia Deutsch	Joan Kruckewitt	Anthony Sosa
Lori Flowers	Brendan Loftus	Michelle Tong-Choyce
Nicole Holland	Tiffany McLean	
Andrew Koltuniak	Kenneth Olivencia	

**Research Fellows:**

Carol Chodroff      Vilaska Nguyen

**Information/Technology Unit:**

Thomas Brown      Rene Manzo

**Volunteer Program:**

Louise Swig

**Public Relations Assistance:**

Marie Mallare      Miriam Goodman

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*These questions were asked by Kyle Jiminez, a 16-year old high school student who wrote a paper about what it is like to be a public defender:*

### **What inspires a person to become a public defender?**

While everyone has their own reasons for choosing their profession, one common thread is that public defenders usually come from backgrounds where they strongly believe in individual rights, and that justice is something that has to be fought for. Many have experienced injustice themselves, and can empathize with clients who come from difficult backgrounds, with little educational, employment and social opportunities. Public defenders also have to like people, since they have a lot of contact with people — clients, witnesses, jurors, etc.

### **What is most rewarding thing about being a public defender?**

Helping clients obtain justice. Unlike the TV version, it is very difficult for individual clients to obtain justice. Dockets are overcrowded by too many cases, and judges go from case to case in a matter of minutes. There is a great deal of bias against our clients, both inside and outside the courtroom. Good public defenders forge a successful legal strategy and use all of their wit, skill, life experience and tact to obtain a good result for the client. And when they do, it is extremely rewarding.



*Deputy Public Defender Kisha Cordero advises a client in court*

### **What are some of the hardships being a public defender?**

The caseloads. Public defenders carry heavy caseloads, sometimes up to 125 misdemeanor cases and 60 felony cases at any given time. This is a huge responsibility. Each case represents a human being who is facing incarceration, and, in some cases, for the rest of their lives. It is the job of the public defender to represent the interests of the individual, to make sure that the accused's rights are not trampled on and that all possible legal defenses are asserted.

### **How does it feel to defend someone you believe or know is guilty?**

It is important that public defenders don't judge their clients. A lawyer has a sworn duty to represent all clients to the best of his or her ability, regardless of whether he or she personally believes a client might be guilty or not. Juries decide guilt, not lawyers. Instead, we have a system that requires proof beyond a reasonable doubt before a person is convicted of a crime.

### **How would someone go about becoming a public defender?**

Go to law school, pass the bar and get experience working in a criminal law office.

### **How does our justice system work?**

We have an adversary system — two opposing sides, the prosecution and the defense go to court and fight it out. The idea is that through this process the truth is revealed. Sometimes there is a compromise reached, and other times, not. When we cannot work out a case, the case goes to trial. Other times there is a guilty plea or the case is dismissed, or the person chooses to enter a diversion program. However, a public defender must be willing to go to trial if the client wants a trial and the prosecution isn't willing to settle the case for the outcome the client desires.

### **Are there any special skills a public defender should have?**

Know how to read, to write and not be afraid to speak up to right a wrong.

### **On average, how much experience do public defenders have?**

We have attorneys of all levels of experience, although the majority of lawyers have between 10-25 years of experience. The newer attorneys handle misdemeanor cases, while experienced attorneys handle the felony and serious cases.

### **What is the typical day of the Public Defender like?**

Most public defenders work long hours, between 55-65 hours per week. Because lawyers are often in court all day, they must interview clients and prepare their cases in the evening hours. And when a lawyer is in trial, he or she might work 16-hour days, working with their investigator, locating and subpoenaing witnesses and preparing for the next day in court. A trial might last anywhere from one week to even a month or longer. This means that it's never a 9-to-5 job.

“The creation of the office of Public Defender has afforded an opportunity for humanitarian service on the part of this City and County to many persons accused of crime. Much good has been accomplished by this office, and it shall continue to be our aim to render all possible service to those who otherwise could not procure private counsel.”

—— Frank J. Egan, SF Public Defender (1921-1932)



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